

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMEY C. ROBERTSON,

Petitioner,

v.

COMMONWEALTH OF  
PENNSYLVANIA, *et al.*,

Respondents.

No. 4:21-CV-01989

(Chief Judge Brann)

**ORDER**

**SEPTEMBER 14, 2022**

**AND NOW**, in accordance with the accompanying Memorandum Opinion,

**IT IS HEREBY ORDERED** that:

1. Respondents' motion to dismiss the above captioned petition for writ of habeas corpus for lack of jurisdiction, Doc. 30, is **GRANTED**. This Court is without jurisdiction at this time to consider the petition in this matter because Petitioner has not "move[d] in the appropriate court of appeals for an order authorizing the district court to consider the application" pursuant to 28 U.S.C. § 2244(B)(3)(A).
2. Petitioner's motion to transfer to the Third Circuit, Doc. 35, is **GRANTED**.
3. The Clerk of Court is directed to **TRANSFER** the above captioned action to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1631.
4. Petitioner's motion to dismiss or for summary judgment, Doc. 27, is **DISMISSED** as moot.

5. The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge